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October 12, 2012

Ms. Marlene H. Dortch
Secretary, Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: **Notice of Ex Parte Communication** in the Matter of WC Docket No. 10-90, 05-337.

Dear Ms. Dortch,

On October 11, 2012, Tom Koutsky of Connected Nation and me met with Michael Byrne, Amy Bender, Ryan Yates and Joseph Cavender of the Wireline Competition Bureau. The objective of the meeting was to discuss the process for challenging broadband mapping data leveraged by the FCC to inform public policy. Connected Nation's position is summarized in the attached presentation discussed during the meeting.

Pursuant to Commission rules, please include a copy of this filing in each of the above-referenced dockets. Should you have any questions, please feel free to contact me directly.

Sincerely,

s/Raquel Noriega

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cc: Amy Bender, WCB
Michael Byrne, WCB
Ryan Yates, WCB
Joseph Cavender, WCB

ENABLING TECHNOLOGY. EMPOWERING PEOPLE.



MAPPING DISPUTES

BUILDING AN EFFECTIVE, EFFICIENT PROCESS FOR CHALLENGING
BROADBAND AVAILABILITY DATA

OCTOBER 11, 2012



ACCESS



ADOPTION



USE

CONNECTED NATION'S MAPPING PROGRAMS

- The largest NTIA State Broadband Initiatives mapping agent: Alaska, Iowa, Michigan, Minnesota, Nevada, Ohio, Puerto Rico, South Carolina, Tennessee and Texas.
- In 2004, developed the first statewide map in the nation in Kentucky.
- Leader in developing mapping protocols and standards publically shared at the NTIA and FCC
 - Comments of Connected Nation, Inc. on ACS' Petition for Waiver, In the Matter of Connect America Fund, WC Docket No. 10-90 et. al., October 9, 2012
<http://apps.fcc.gov/ecfs/document/view?id=7022031718>
 - Comments of Connected Nation, Inc. on CenturyLink's Petition for Waiver, In the Matter of Connect America Fund, WC Docket No. 10-90 et. al., July 12, 2012
<http://apps.fcc.gov/ecfs/document/view?id=7021986458>
 - "Engineering and Technical Services Field Validation Techniques: A Technical Brief by Connected Nation", presented to the FCC, June 22, 2011 <http://apps.fcc.gov/ecfs/document/view?id=7021689631>
 - Comments of Connected Nation, In the Matter of Connect America Fund, WC Docket No. 10-90 et. al., April 18, 2011 <http://apps.fcc.gov/ecfs/document/view?id=7021239880>

CONNECTED NATION'S VALIDATION PROCESS

- Independent validation of residential broadband service areas and speeds is required by the NTIA mapping program rules
- Based on a number of techniques including:
 - Logical assessment of provider data
 - Engineering field validation – Over 200,000 road miles driven by CN engineers through the implementation of the SBI program
 - Crowdsourcing feedback through Broadband Inquiries – Over 20,000 inquiries into the map received to date
 - User driven speed tests
- Details: ***Field Validation Techniques: A Technical Brief from Connected Nation (Attachment A to Connected Nation October 9, 2012 Comments)***
- Reliance upon multiple layers of validation provides a sound basis for confirming broadband service areas
- The National Broadband Map is the most comprehensive source of broadband availability information to which the Commission has ever had access

ACS WAIVER PETITION

- **Connected Nation has independently validated and verified residential broadband service availability of the four wireless ISPs listed in ACS's Petition for Waiver: Ace Tekk Wireless, AtlasConnect, SPITwSPOTS, and Yukon Tech**
- **Connected Nation has performed field validation of the service offerings of these WISPs in Alaska, using signal strength tests, visits to residential neighborhoods to confirm and document equipment on residential locations, and speed tests**
- **Details: Declaration of Charles A. Spann (Attachment B to Connected Nation October 9, 2012 Comments)**

CHALLENGES TO THE MAP: CORE PRINCIPLES

- Incorporate and take full advantage of the validation documentation that SBI agents like Connected Nation have compiled
- Expect parties to work within the SBI broadband mapping process *first*
- Entertain challenges only if those challenges are documented with sound engineering assessments
- Provide notice and opportunity for comment to SBI agents as well as affected broadband service providers

PROPOSED CHALLENGE PROCESS

The FCC should presume that the data entered on the National Broadband Map is accurate. All challenges to this presumption for purposes of USF funding should --

1. Include a specific and public list of all census blocks and speed tiers in which the parties dispute the entries on the National Broadband Map,
2. Document that the party has raised the specific issue or dispute with the relevant SBI grantee in the state regarding those Map entries,
3. Include with FCC challenge *any and all* validation information and response to this inquiries received from the SBI grantee,
4. Provide its own field validation and engineering assessment if it disagrees with the SBI grantee's validation finding that clearly and comprehensively rebuts the National Broadband Map entry in those census blocks and speed tiers, and
5. Serve a copy of its filing to the FCC with the SBI grantee and the broadband service provider whose service area is in question.

BENEFITS OF PROPOSAL

- Leverage resources of existing federal mapping agents in the process
- Would Make the Map Better: More inquiries from providers would affect SBI validation priorities and improve the Map even if the inquiry did not result in an official “challenge”
- Weed Out Unsubstantiated Disputes
- Sharpen and narrow scope of discrepancies where identified
- Clear and Open Process and Expectations
- Foster Better Understanding of Broadband Mapping Process by Industry
- Service and Notice provides Fundamental Fairness to Affected Service Providers

October 11, 2012
WC Dockets No. 10-90
WC Docket No. 05-337

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